

US EPA ARCHIVE DOCUMENT



MARSHALL PROPERTIES, INC.

April 7, 1999

Centredale Manor
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VIA OVERNIGHT DELIVERY

Ms. Sharon Fennelly
Office of Site Remediation and Restoration
Site Evaluation and Response II Section (HBR)
U. S. Environmental Protection Agency
One Congress Street, Suite 1100
Boston, MA 02114-2023

RE: Request for Information regarding Centredale Manor Superfund Site

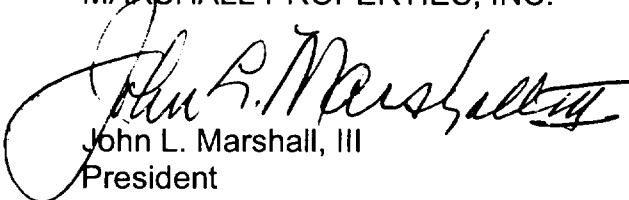
Dear Ms. Fennelly:

Enclosed please find the response of Centredale Manor Associates, c/o John L. Marshall, III, Marshall Properties, Inc. pursuant to the Request for Information dated February 22, 1999 with Documents Nos. 1-534 also enclosed.

Please note under Response No. 1 (b.) we have submitted an incomplete response. We expect to have additional information from the Rhode Island Secretary of State's office on Thursday or Friday of this week. We will supplement the Response as soon as we receive the additional information from the Secretary of State's office.

Please direct any further correspondence on this matter to our counsel identified in Response No. 1 (c.).

Very truly yours,
MARSHALL PROPERTIES, INC.


John L. Marshall, III
President

Enclosures

**RESPONSE OF JOHN L. MARSHALL, III, IN HIS CAPACITY
AS GENERAL PARTNER OF CENTREDALE MANOR ASSOCIATES
FOR THE TIME PERIOD HE WAS GENERAL PARTNER
TO THE EPA'S REQUEST FOR INFORMATION PURSUANT
TO SECTION 104 OF THE CERCLA AND SECTION 3007
OF RCRA FOR THE CENTREDALE MANOR SITE
NORTH PROVIDENCE, RHODE ISLAND**

QUESTION NO.1. **General Information About The Respondent**

- a. Please provide the full legal name and mailing address of the Respondent to this letter.
- b. For each person answering these questions on behalf of the Respondent, please provide:
 - i. full name;
 - ii. title;
 - iii. business address; and
 - iv. business telephone number and FAX machine number.
- c. If Respondent wishes to designate an individual for all future correspondence concerning this Site, including any legal notices, please provide that individual's name, address, and telephone number and Fax machine number.

RESPONSE NO. 1:

- a. Centredale Manor Associates
 C/O John L. Marshall, III
 Marshall Properties, Inc.
 700 Narragansett Park Drive
 Pawtucket, Rhode Island 02861
- b. John L .Marshall, III
 President of Marshall Properties, Inc.,
 Former President and Stockholder of
 Marshall Contractors, Inc. and
 former General Partner of
 Centredale Manor Associates (October 1, 1982 to on or about February 1, 1996).
 The exact dates that John L. Marshall, III sold his interest in Centredale Manor Associates will be supplemented as soon as we receive updated certificates from the Rhode Island Secretary of State's office.

- c. James A. O'Leary, Esq. and
Richard J. Welch, Esq.
Moses & Afonso, Ltd.
170 Westminster Street, Suite 201
Providence, Rhode Island 02903

QUESTION NO.2. Respondent's Legal and Financial Status

- a. State the number of Respondent's current employees.
- b. State the annual average number of persons employed by Respondent for every five year period during the period being investigated.
- c. If the Respondent has ever done business under any other name;
 - i. list each such name; and
 - ii. list the dates during which such name was used by Respondent.
- d. If Respondent is a corporation, provide:
 - i. the date of incorporation;
 - ii. state of incorporation;
 - iii. agent for service of process;
 - iv. the names of current officers;
 - v. the names of current directors;
 - vi. the names of current shareholders owning more than 5% of Respondent's stock;
 - vii. the names of all officers during the period being investigated;
 - viii. the names of all directors during the period being investigated; and
 - ix. the names of all shareholders owning more than 5% of the Respondent's stock at any time during the period being investigated.
- e. If Respondent is a partnership, provide:
 - i. the names and addresses of all current partners;
 - ii. the names of all partners in the period being investigated; and
 - iii. the type of partnership (i.e. general, limited).
- f. If Respondent is, or was at any time during the period being investigated, a subsidiary of, otherwise owned or controlled by, or otherwise affiliated with another corporation or entity, then describe the nature of each such corporate relationship, including but not limited to:
 - i. a general statement of the nature of the relationship;
 - ii. the dates such relationship existed;

- iii. the percentage of ownership of Respondent that is held by such other entity; and
- iv. for each such affiliated entity provide the names and complete addresses of its parent, subsidiary, and otherwise affiliated entities.

RESPONSE NO. 2:

- a. Centredale Manor Associates has no employees. The entities that constructed the structures on the property had employees and subcontractors. See Response No. 3 (c.) (d.) (e.) and (f.).
- b. Centredale Manor Associates had no employees. See Response 2(a) above.
- c. Not applicable.
- d. Not applicable.
- e.
 - i. Upon information and belief: C/S Housing Associates c/o Paul E. Tryder Cornerstone Corporation, 725 Canton Street, Norwood, MA 02062 and Centredale Associates, 700 Narragansett Park Drive, Pawtucket, Rhode Island 02861. The limited partners of Centredale Manor Associates may be contacted at Smith Street Limited Partnership, c/o Winthrop Financial Corp., 225 Franklin Street, Boston, MA 02111.
 - ii. John L. Marshall, III, general partner, Bernard Hodess, 48 Deerfield Court, North Kingston, Rhode Island 02853, general partner and Centredale Associates, general partner. The limited partners of Centredale Manor Associates may be contacted at Smith Street Limited Partnership, Limited Partner, c/o Winthrop Financial Corp., 225 Franklin Street, Boston, MA 02111.
 - iii. Limited.
 - f. Not applicable.

QUESTION NO. 3. **Owners During Period Being Investigated:**

- a. Identify all owners of the Site or portions of the Site.
- b. For such owners of the Site or portions of it, provide a map or detailed ' narrative description of each such owner's property boundaries in relation to the Site's boundaries.
- c. State the beginning and ending dates of each such owner's ownership of the Site or portions of the Site.

d. Provide copies of all documents in Respondent's possession indicating such ownership including but not limited to:

- i. deeds;
- ii. easements;
- iii. liens;
- iv. mortgages;
- v. purchase and sale agreements;
- vi. title insurance; and
- vii. title search reports.

e. Describe all activities undertaken at the Site by the Respondent and each such owner for the full period being investigated, including but not limited to:

- i. a brief narrative of the day to day operation of the Site for every three year period of ownership;
- ii. a description of the Respondent's activities at the Site by date;
- iii. a description of the generation, storage, placement, disposal or treatment of waste as a result of any demolition or construction activities at the Site by date;
- iv. the identification of contractors, or others who carried out any demolition or construction activities at the Site;
- v. a description of the demolition or construction activities at the Site by date;
- vi. a description of any other significant operations or activities at the Site.

f. For each person, including but not limited to Respondent's employees, responsible for carrying out any demolition or construction activities at the Site during the period under investigation:

- i. identify each such employee or other person;
- ii. identify his or her employer;
- iii. identify his or her supervisor;
- iv. specify the dates of his or her activities at the Site;
- v. specify his or her job title;
- vi. describe his or her duties; and
- vii. describe his or her activities at the Site.

g. Provide all information you have, or you have reason to believe exists, which indicates that disposal, treatment, storage, or recycling of wastes occurred at the Site during the period that each such owner owned the Site.

- h. Provide all information you have, or you have reason to believe exists, that during Respondent's ownership of the Site:
- i. the wastes disposed, treated, stored, placed or recycled at the Site included hazardous substances; and
 - ii. hazardous substances were released at the Site.
- i. Describe the nature of the relationship between each entity or person conducting demolition or construction activities at the Site and the Respondent.
- j. Identify all documents specifying or memorializing the relationship between each entity or person identified in response to question 3.i., above, and the owner of the Site.
- k. Identify all documents produced by each entity or person identified in response to question 3.i., above, concerning the Site, including but not limited to all work reports, time cards, personnel information, site analyses, surveys, and studies.
- l. Describe any actions taken by Respondent or Marshall Properties in response to the meeting between John Leo (RIDEM) and Ann Vallaro (Centredale Manor) referenced in the enclosed April 2, 1986, State of Rhode Island memorandum.

RESPONSE NO. 3:

- a. Centredale Manor Associates.
- b. See plan documents at 472 and 473 and deed with property description at documents 07 to 09.
- c. Centredale Manor Associates purchased the property on or about March 18, 1982. The deed conveying the property to Centredale Manor Associates is enclosed at Documents 07 to 09. Upon information and belief, Centredale Manor Associates still maintains title to the property, however, the partners of Centredale Manor Associates have changed. See Response No. 2(e).
- d. See Documents 02 to 09 and 331 to 468 enclosed.
- e. Respondent did not undertake activities at the site. Respondent contracted with Marshall Contractors, Inc. to build certain structures on the Site. A copy of the Marshall Contractors contract with Centredale Manor Associates is enclosed at Documents 54 to 176. Respondent is no longer in possession of the complete plans and specifications prepared by Robinson Green & Beretta for the project site. Upon information and belief, the plans and specifications were handed over to C/S Housing Associates c/o Paul E. Tryder, Cornerstone Corporation on or about February 1, 1996.

- f. Marshall Contractors, Inc. was the general contractor. The scope of Marshall Contractors, Inc. work is set forth at documents 54 to 176. Upon information and belief, Marshall Contractors, Inc. subcontracted portions of the demolition and construction work. See Documents 42 to 49, 292 to 307, and 317 to 319 regarding demolition and construction.
- g. None.
- h.
 - i. See Documents 190 to 291.
 - ii. None.
- i. Respondent had a contractual relationship with Marshall Contractors, Inc. Upon information and belief, Marshall Contractors, Inc. had sub-contractual relations with a variety of subcontractors. See Response No. 3(e) and documents referenced therein.
- j. See Response No. 3 (i) above.
- k. See Response Nos. 3(e.), (f.) and (i.). Respondent has no other documents
- l. Respondent is not aware of any actions taken by Respondent or Marshall Properties in response to the meeting with John Leo. Respondent has enclosed communications made or received in follow up to the meeting with Mr. Leo at documents 474-534.

QUESTION NO. 4. Site Characteristics:

- a. Describe the physical layout and characteristics of the Site for each three year period during the period being investigated, including but not limited to:
 - i. surface structures (e.g., buildings, gates, fences, tanks, lagoons, settling ponds, etc.);
 - ii. subsurface structures (e.g., underground tanks, storm water systems, sanitary sewer systems, leach fields, septic systems, etc.); and
 - iii. ground water wells.
- b. Provide a map depicting each of these characteristics and its location on the Site.
- c. Describe how the Site characteristics referred to in the preceding question changed over time (e.g. when they were built, installed, altered, damaged, demolished, etc.) and the dates of each change.
- d. Provide copies of all documents concerning sampling, testing or other technical or analytical information concerning the surface water, groundwater, soils, sediments,

and/or air at and adjacent to the Site conducted by private entities or by local, regional, state, or federal agencies.

e. If the Respondent or its contractor is currently undertaking or planning to undertake investigations or excavations of the soil, groundwater, surface water, sediments, air, geology, or hydrogeology on or about the Site, describe the nature and scope of these investigations and the estimated completion date.

f. Describe all leaks, spills, or releases (including, but not limited to, releases due to fires, pouring, pumping, emptying, or abandonment of drums or other containers) at or from the Site of materials that were or may have been hazardous, toxic, flammable, reactive, or corrosive, or may have contained hazardous substances, including, but not limited to:

- i. the date of each such occurrence;
- ii. the specific location on the Site of each such occurrence; and
- iii. the materials that were involved in each such occurrence in terms of the nature, composition, color, smell, and physical state (solid or liquid) of such material.

g. Describe all threats of leaks, spills or releases (including, but not limited to, releases due to fires, pouring, pumping, emptying, or abandonment of drums or other containers) at or from the Site of materials that are or may be hazardous, toxic, flammable, reactive, or corrosive, or that may contain hazardous substances, including but not limited to:

- i. the specific location on the Site of such threat; and
- ii. the material threatening to be leaked, spilled or released, in terms of the nature, composition, color, smell, and physical state (solid or liquid) of such material.

h. Describe and provide the dates of all activities undertaken by Respondent and others to:

- i. address all leaks, spills, or releases of materials at or from the Site; and
- ii. to prevent a threatened leak, spill, or release at or from the Site.

i. Describe all fires, explosions, or similar occurrences at the Site, including but not limited to:

- i. the dates of such occurrences;
- ii. the specific locations on the Site of such occurrences;
- iii. the nature of such occurrences;
- iv. the measures taken to respond to them; and
- v. identify any persons who witnessed the occurrences.

j. Describe the acts or omissions of any persons other than your employees, agents or those persons with whom you had a contractual relationship, that may have caused the release or threat of release of hazardous substances at the Site and damages relating therefrom and identify such persons. In addition:

- i. Describe all precautions that you took against foreseeable acts or omissions of any such third parties (including, but not limited to Crown Chemical, Metro Atlantic, Crown Metro, Crown Metro Atlantic, Atlantic Chemical Company, Inc., Metro Chemical, Inc., Marshall Contractors, Inc., Jet-Line Services, Acme Services, Peloquin & Sons, Inc., Peloquin Construction, C. Pezza & Sons, Inc., Goldberg, Zoino and Associates, ("GZA"). Inc., Centerdale Properties Corporation, Joseph and Helen Buonanno, Edward and Dorothy Ricci, and Centerdale Enterprises, Inc.), and the consequences that could foreseeably result from such acts or omissions.
- ii. Describe the care you exercised with respect to the hazardous substances found at the Site.

k. Has any contaminated soil ever been excavated or removed from the Site? Unless the answer to the preceding question is anything besides an unequivocal "no", identify:

- i. amount of soil excavated;
- ii. location of excavation;
- iii. manner and place of disposal and/or storage of excavated soil;
- iv. dates of soil excavation;
- v. identity of persons who excavated or removed the soil;
- vi. reason for soil excavation;
- vii. whether the excavation or removed soil contained hazardous substances and why the soil contained such substances;
- viii. all analyses or tests and results of analyses of the soil that was removed from the Site;
- ix. all persons, including contractors, with information about (i) through (ix) of this request.

l. Have any drums ever been excavated or removed from the Site? Unless the answer to the preceding question is anything besides an unequivocal "no", identify:

- i. number and condition of drums excavated or removed;
- ii. location of excavation;
- iii. manner and place of disposal and/or storage of drums removed;
- iv. dates of drum excavation;
- v. identity of persons who excavated or removed the drums;
- vi. reason for drum excavation;

- vii. whether the excavation or removed drums contained hazardous substances and why the drums contained such substances;
- viii. whether the excavation or removed drums contained raw materials or product including but not limited to tetrachlorobenzene, 2, 4, 5 trichlorophenol, sodium 2, 4, 5 trichlorophenate and hexachlorophene
- ix. all analyses or tests and results of analyses of the contents of the drums that were removed from the Site;
- x. all persons, including contractors, with information about (i) through (ix) of this request.

m. During Respondent's association with the Site, were there any environmental improvements or environmental remediation actions undertaken by any entity (including but not limited to Marshall Contractors, Inc., Peloquin & Sons, Inc., Peloquin Construction, C. Pezza & Sons, Acme Services, Goldberg, Zoino and Associates ("GZA") Inc., and/or Jet-Line Services) If so, please provide:

- i. the type and date of each action;
- ii. the reason for each action. If the action was undertaken because of an environmental citation:
 - (1) identify the agency issuing each citation, and
 - (2) provide the date of each citation;
- iii. the cost of each improvement or remediation; and
- iv. the person(s) responsible for agreement to and arrangement for each environmental action.

RESPONSE NO. 4:

- a. See plan documents at 472 and 473. Respondent is no longer in possession of the complete plans and specifications for the construction of the structures on the property. See Response No. 3(e) above.
- b. See Response No. 4(a).
- c. Pursuant to an agreement with Marshall Contractors, Inc., certain structures were constructed at the site beginning on or about March 16, 1982, which were substantially completed on or about January 18, 1983. See Response No. 3 (e.) and (f.)
- d. See Documents produced at 190 to 291.
- e. Not applicable.
- f. Not aware of any.
- g. Not aware of any.

- h. Not aware of any.
- i. Not aware of any.
- j. (i) Not aware of any acts or omissions since Centredale Manor Associates purchased the property on or about March 16, 1982 until John L. Marshall, III sold his partnership interest on or about February 1, 1996. Subsequent to and at the time of purchase of the property from Joseph E. Buonanno and Edward W. Ricci, Respondent contracted with others to investigate site. See Documents 227 to 279.

(ii) Upon information and belief, agents of Respondent, Marshall Contractors, Inc. and its subcontractors, took steps to remove and did remove certain substances found at the site.
- k. Yes. See Documents 27 to 34. Respondent is not in possession of any documents regarding the quantity of soil removed.
- l. Yes. See Documents 20 to 36, 287 to 291, and 308 to 316.
- m. Yes. See Documents 20 to 36, and 190 to 291 which set forth the actions taken and results.

QUESTION NO. 5. Information About Others

- a. If you have information concerning the operation of the Site (including but not limited to operations by Marshall Contractors, Inc., Jet-Line Services, Acme Services, Peloquin & Sons, Inc., Peloquin Construction, C. Pezza & Sons, Inc., Goldberg, Zoino and Associates ("GZA"), Inc., Centerdale Properties Corporation, Centerdale Enterprises, Inc., Joseph and Helen Buonanno, and Edward and Dorothy Ricci) or the source, content or quantity of materials placed/disposed at the Site that is not included in the information you have already provided, provide all such information.
- b. If not already included in your response, if you have reason to believe that there may be persons, including persons currently or formerly employed by Respondent, who are able to provide a more detailed or complete response to any of these questions or who may be able to provide additional responsive documents, identify such persons and the additional information or documents that they may have.
- c. If not already provided, identify all persons, including Respondent's current and former employees, who have knowledge or information about the generation, use,

purchase, treatment, storage, disposal, placement or other handling of materials at, or transportation of materials to, the Site.

RESPONSE NO 5:

- a. See Responses Nos. 3(e.) (f.) (h.) and (i.).
- b. Not aware of any such person, other than those persons identified in the documents produced herein.
- c. None.

RJW/CENTERI

ENCLOSURE E: DECLARATION

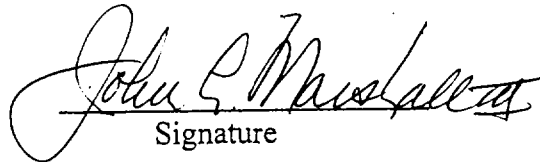
The following form of declaration must accompany all information submitted by Respondent in response to the Information Request:

I declare under penalty of perjury that I am authorized to

respond on behalf of Centredale Manor Associates and that the
Respondent

foregoing is complete, true, and correct.

Executed on April 7, 1999


Signature

Type Name John L. Marshall, III

Title [if any]

President of Marshall Properties, Inc.
and former general partner of
Centredale Manor Associates (October 1,
1992 to February 1, 1996)